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LIVINGSTON GENERAL PLAN

LIVINGSTON GENERAL PLAN

Prepared for
The City of Livingston

Prepared by
Consultive Planners
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Fresno, California 93721



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RESOLUTION NO. 83-25

BEFORE THE CITY COUNCIL OF THE CITY OF LIVINGSTON
COUNTY OF MERCED, STATE OF CALIFORNIA

RESOLUTION AMENDING THE
GENERAL PLAN FOR THE CITY OF LIVINGSTON

WHEREAS, the General Plan for City of Livingston was adopted by the Council on June 18, 1973, and

WHEREAS, conditions have substantially changed since the adoption of the General Plan which necessitate major review and revision of that Plan, and

WHEREAS, the City of Livingston has undertaken studies pertinent to the revision of the General Plan which have resulted in the preparation of a draft Livingston General Plan, dated September, 1982, and a draft and final environmental impact report for said Plan, and

WHEREAS, the revision of the General Plan includes the comprehensive amendment of the Land Use Element, Circulation and Transportation Element, and the Conservation, Open Space and Recreation Element, and

WHEREAS, the revised General Plan includes a summary of the Housing Element which was adopted by the City Council on January 14, 1982, and summaries of the Seismic Safety, Noise and Safety Elements that were adopted by the City Council on April 14, 1975, and

WHEREAS, the Housing, Seismic Safety, Noise and Safety Element summaries as presented in the draft General Plan reflect the content of the original documents and do not represent any modifications, and


WHEREAS, the Livingston Planning Commission on May 18, 1983, after lawful notice and hearing, did consider the environmental impact report for the draft General Plan and did by resolution duly adopt, and recommend to this Council that it adopt the draft Livingston General Plan in its entirety as an amendment to the General Plan, and

WHEREAS, thereafter and heretofore this Council duly and regularly fixed this twenty-third day of June, 1983, at the hour of 7:00 p.m., as the time for public hearing on the proposed amendment to the Livingston General Plan, and it appearing that the City Clerk hereof has duly and regularly given notice thereof in the manner required by law, and the Council having heard evidence and having fully considered the same, and

WHEREAS, the environmental impact report for the draft Livingston General Plan was certified by the Council,

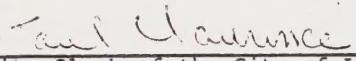
NOW, THEREFORE BE IT RESOLVED that the proposed amendment to the Livingston General Plan, including the map and the goals, objectives, policies and implementation measures for the Land Use Element, Circulation and Transportation Element, Conservation, Open Space and Recreation Element, and the summaries of the Housing Element, Seismic Safety Element, Noise Element and Safety Element as included within the draft Livingston General Plan, as approved and recommended and certified to this Council by resolution of the Livingston Planning Commission, is hereby approved and adopted as the Livingston General Plan, subject to the following modification: The area generally bounded by Front Street, Fifth Street, D Street and the alley between Fourth and Third Streets designated for medium-density residential uses by the proposed draft General Plan be designated for Downtown Commercial Use.

I hereby approve the foregoing Resolution this twenty-third day of June, 1983.

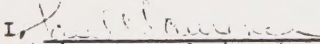


Mayor of the City of Livingston

Attest:

 (Deputy)

City Clerk of the City of Livingston

I,  (Deputy), City Clerk of the City of Livingston, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the of the City

Council of the City of Livingston, on the motion of Councilman
Morrison and seconded by Councilman Herrera
on the twenty-third day of June, 1983,
by the following vote, to wit:

AYES: COUNCILMEN: Benafield, Blevins, Herrera, Morrison, and Soria

NAYES: COUNCILMEN: None

ABSTAIN: COUNCILMEN: None

ABSENT: COUNCILMEN: None

RESOLUTION NO. 83-1

BEFORE THE PLANNING COMMISSION OF THE CITY OF LIVINGSTON
COUNTY OF MERCED, STATE OF CALIFORNIA

RESOLUTION AMENDING THE
GENERAL PLAN FOR THE CITY OF LIVINGSTON

WHEREAS, the General Plan for the City of Livingston was adopted by the Council on June 18, 1973, and

WHEREAS, conditions have substantially changed since the adoption of the General Plan which necessitate major review and revision of that Plan, and

WHEREAS, the City of Livingston has undertaken studies pertinent to the revision of the General Plan which have resulted in the preparation of a draft Livingston General Plan, dated September, 1982 and a draft and final environmental impact report for said Plan, and

WHEREAS, the revision of the General Plan includes the comprehensive amendment of the Land Use Element, Circulation and Transportation Element, and the Conservation, Open Space and Recreation Element, and

WHEREAS, the revised General Plan includes a summary of the Housing Element which was adopted by the City Council on January 14, 1982, and summaries of the Seismic Safety, Noise and Safety Elements that were adopted by the City Council on April 14, 1975, and

WHEREAS, the Housing, Seismic Safety, Noise and Safety Element summaries as presented in the draft General Plan reflect the content of the original documents and do not represent any modifications, and

WHEREAS, after giving proper public notice, the Planning Commission held a public hearing on May 18, 1983 on the amendment of the General Plan and considered all testimony presented at said hearing, and

WHEREAS, the environmental impact report for the draft General Plan was considered by the Commission,

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby approves the amendment to the Livingston General Plan subject to the following modifications:

1) The area generally bounded by Front Street, the Hammett Lateral Canal and the western urban development boundary proposed for agricultural use by the draft General Plan, be designated for low density residential uses.

2) The southwest corner of Fourth and D Streets be designated for downtown commercial uses.

A copy of said amendment is on file with the City Clerk.

I hereby approve the foregoing resolution this eighteenth day of May, 1983.

Richard Granado
Chairman of the Planning Commission

Attest:

Gail C. Hansen
Secretary of the Planning Commission

I, Gail C. Hansen Secretary of the Planning Commission, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Planning Commission of the City of Livingston, on the motion of Commissioner Torres and seconded by Commissioner Yagi on the eighteenth day of May, 1983, by the following vote, to wit:

AYES: COMMISSIONERS: Granado, Montero, Torres, and Yagi

NAYES: COMMISSIONERS: None

ABSTAIN: COMMISSIONERS: None

ABSENT: COMMISSIONERS: Marques

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I

INTRODUCTION TO THE GENERAL PLAN

A. PURPOSE AND SCOPE OF THE GENERAL PLAN

This general plan is the official, adopted policy statement of the City of Livingston regarding the character and quality of growth and development within the Livingston Planning Area. The general plan was prepared in response to requirements of state law and a recognition by the City of the need to update and document its decisions concerning the future growth and development of the community.

The State of California has identified nine elements that every city must include in its general plan. These elements include land use, circulation, housing, conservation, open space, seismic safety, noise, scenic highway and safety. The Livingston General Plan contains eight of the nine required elements as well as an optional recreation element. The recreation element has been combined with two other mandatory elements to form the Conservation, Open Space and Recreation Element. The plan does not contain a scenic highway element due to the absence of any scenic highways within the planning area.

Each of the elements presented in this general plan includes a summary of existing conditions, assumptions concerning future conditions, definitions and standards, and goals, objectives, policies and implementation measures. Collectively, the goals, objectives, policies and implementation measures provide guidance for public and private actions regarding development within the Livingston Planning Area and establish a uniform basis against which proposed development actions can be measured for consistency with the general plan.

The general plan has been designed to provide guidance for development for the next twenty years. It is recognized, however, that the plan will have to be evaluated regularly and updated as necessary to reflect new opportunities, conditions and attitudes of the community. To be effective, the plan should be reviewed on a yearly basis and thoroughly evaluated at least every five years.

The Livingston General Plan is divided into nine sections. Section I, this introduction, explains the purpose and scope of the general plan and its significance. The boundary of the planning area is also described in this introduction. Section II presents background information regarding current population size and composition, projections of population growth and a brief summary of economic conditions within the planning area. Sections III, IV and V are the Land Use, Circulation and Transportation, and Conservation, Open Space and Recreation Elements, respectively. These elements represent a comprehensive amendment of the Land Use, Circulation and Transportation, and Conservation, Open Space and Recreation Elements that were adopted by the City in 1973. Section VI, the Housing Element, is a summary of the Housing Element of the general plan that was adopted by the City in January, 1982. Sections VII, VIII and IX are summaries of the Seismic Safety, Noise and Safety Elements that were adopted by the City in March, 1975.

B. LIVINGSTON PLANNING AREA

The City of Livingston is located along State Highway 99 in northern Merced County, California. Livingston is bisected by Highway 99, a major north-south interstate transportation artery, and by the Southern Pacific Railroad (see Exhibit 1').

The Livingston Planning Area is shown on the general plan map (see Exhibit 2). The planning area boundary identifies the

STATE-WIDE & REGIONAL RELATIONSHIP





maximum service area of Livingston based upon present and projected potential service capabilities of the City. The objectives, policies and implementation measures of the general plan elements are primarily directed toward the areas shown on the general plan map for urban development. The City, however, also has a major interest in and responsibility for coordinating with Merced County in planning for unincorporated land that is presently not shown on the general plan map for urban development but that is within the Livingston Planning Area.

II

POPULATION AND ECONOMY OF THE LIVINGSTON PLANNING AREA

A. EXISTING POPULATION CHARACTERISTICS

The 1982 population of the City of Livingston was 5,604. Thirteen percent of the City's population in 1980 was between the ages of 0 and 4; 28 percent between 5 and 17; 54 percent between 18 and 64; and 5 percent, 65 or over. The ethnic composition of the City as recorded in 1980 included 26 percent white, 1.0 percent black, 61 percent Hispanic/Spanish origin, and 12 percent other. The average household size in the City in 1981 was 3.89 persons.

B. POPULATION PROJECTIONS

The City's population is projected to increase from 5,604 in 1982 to between 7,900 and 10,180 persons by the year 2000. The "high" projection would be reached if the City continues to grow at the relatively rapid average annual rate of 4 percent per year that was experienced between 1972 and 1982, while the "low" projection reflects the slower average annual population growth rate of less than 2.5 percent per year that was experienced between 1950 and 1982.

C. ECONOMIC CONDITIONS

The economy of the Livingston area is based primarily upon agriculture, with the City serving as an agricultural service center. The primary crops grown in the area are sweet potatoes, almonds, peaches and grapes, and the major industries in the planning area are agricultural processing and packing plants. The Foster Farms poultry processing plant is the

largest industry and employs over one-third of the City's labor force.

The City's assessed valuation for 1981-1982 was \$74,613,068 and taxable retail sales in 1981 were \$8,168,000.

III

LAND USE ELEMENT

A. INTRODUCTION

1. Purpose & Goals

This Land Use Element presents the goals, standards, definitions, objectives, policies and implementation measures of the City for residential, commercial, industrial and public land uses within the Livingston Planning Area. The Land Use Element also delineates areas that are appropriate for agricultural and recreational open space land uses. Detailed planning for open space land uses is found in the Conservation, Open Space and Recreation Element of the general plan.

The goals of the Land Use Element are:

- To promote a balanced and functional mix of land uses within the planning area consistent with community values.
- To provide guidance for public and private investments that are related to land use within the planning area.
- To reflect the opportunities and constraints affecting land use identified in the other elements of the general plan.

Development of the Land Use Element is based upon an identification of the location, relationship, extent and issues associated with existing land use, projections of amounts of land required for urban expansion and a synthesis of community needs and values. The Land Use Element, together with the Circulation and Transportation Element, establish a basic framework

for the other elements of the general plan and set forth the major development standards and the desired future physical form of the community.

2. Existing Conditions

a. All urban land uses within the planning area are located within the corporate limits of the City of Livingston, with the exception of several commercial and industrial uses located to the southeast and northwest of the City, along Highway 99. The composition of the existing land uses within the City is presented below:

TABLE 1

CITY OF LIVINGSTON-LAND USE COMPOSITION, 1982

| <u>Land Use Classification</u> | <u>Acres</u> | <u>% of Total Land</u> |
|--------------------------------|--------------|------------------------|
| Residential | | 25 |
| Single Family | 205 | |
| Multiple Family | 30 | |
| Commercial | 21 | 2 |
| Industrial | 68 | 7 |
| Public & Quasi Public | 250 | 27 |
| Utilities | 17 | 2 |
| Street Rights-of-Way | 194 | 21 |
| Agriculture | 75 | 7 |
| Vacant Land | <u>83</u> | <u>9</u> |
| TOTAL | 943 acres | 100% |

b. One-hundred and fifty-eight acres or approximately 16 percent of the land within the City limits is vacant or in agricultural use.

c. The bulk of residential development within the City has been single family units. Approximately 84 percent of the total 1,472 dwelling units within the City in 1980 were single family units; the remaining 16 percent were duplexes and multiple family units.

d. Commercial development in the City is generally located within the downtown commercial district and along Highway 99. The downtown commercial district is characterized by mostly older buildings and improvements that are in need of physical improvement. There is essentially no vacant land available for commercial expansion within the downtown area.

Commercial uses are also located in two relatively small shopping centers within the City.

e. The Foster Farms poultry processing plant is the major industry in the City and provides one-third of the City's work force with year-round jobs. Other industrial development is concentrated along the Southern Pacific Railroad corridor and is primarily agriculturally oriented.

f. Most of the land outside the City within the planning area is developed with agricultural uses.

g. The Livingston Planning Area is not within a designated flood prone area.

3. Assumptions Concerning Future Land Use Conditions

a. Single family residential development will continue to be the predominant form of residential development within urban growth areas, but not to the extent that it has in the past. Due to the escalating cost of housing, an increasing percentage of alternative housing types and rental units will likely be developed.

b. In order to facilitate residential development in Livingston, adequate land must be designated at appropriate locations to provide choice in the areas available for residential development. Based upon the year 2,000 population projections for

the City, between 124 and 270 acres will be needed to accommodate new single family residential development, and up to 20 acres will be needed to accommodate new multiple family development.

c. Residential growth within the Livingston Planning Area has historically been to the north and west and will probably continue in these directions due to the availability of sewer and water services in these areas.

d. The downtown commercial district will have to be revitalized in order to become a viable retail commercial center. This revitalization would include physical improvement of buildings and public infrastructure as well as regulating uses to ensure that they do not detract from the desirability of the area for shopping.

e. Any substantial new commercial development in the City will most likely occur at future freeway interchanges or along Livingston-Cressey Road. This is because of the lack of vacant land and existing physical characteristics of the downtown commercial district.

f. New industrial growth will be concentrated north of the City in proximity to Foster Farms and the City's industrial wastewater treatment plant, and along the Southern Pacific Railroad corridor.

g. The preservation of agricultural land will continue to be of utmost importance to the community.

B. LAND USE DEFINITIONS AND STANDARDS

1. Introduction

The following are definitions and standards for the land use

classifications described in this element. The zoning districts that are consistent with each land use classification are presented in the Zoning Consistency Table located in this section. Detailed standards for the development of each land use classification are in large measure embodied in the zoning districts that are consistent with each classification. The standards and definitions contained in this section, including the Zoning Consistency Table, reflect City policy for the purpose of interpreting the land use classifications in this general plan.

2. Residential Land Uses

a. Low Density Residential (1-11 dwelling units per gross acre¹) means land designated predominantly for single family detached dwellings in conventional subdivisions as permitted by the "R-1-6" District, or as permitted by the "R-1-5.5" District, subject to conforming with the standards in Subsection C,2,c,(2) and (3).

Up to 11 dwelling units per gross acre may be permitted in cluster and planned unit developments provided the project conforms with the standards in Subsection C,2,c and is approved in accordance with the provisions of the "P-D", Planned Development District. The cluster and planned unit developments may include single and multiple family dwellings and alternative housing types (zero lot line, townhouses, etc.).

Mobile home parks may also be permitted under the Low Density Residential classification provided the project conforms with the standards in Subsection C,2,c and the provisions of the "R-M" Mobile Home District.

¹ Gross density, as used in this plan, is based on the gross, or total, land area of a project, including streets and nonresidential uses.

TABLE 2
ZONING CONSISTENCY TABLE

| <u>Land Use Classification</u> | <u>Consistent Zoning</u> |
|---------------------------------|-------------------------------------|
| Low Density Residential | R-1-6, R-1-5.5*, R-2* R-M*, P-D* |
| Medium/High Density Residential | R-2, R-3*, R-M*, P-D* |
| Downtown Commercial | C-1 |
| Community Commercial | C-2 |
| Service Commercial | C-3 |
| Limited Industrial | M-1 |
| General Industrial | M-2 |
| Open Space | 0 |
| Public/Quasi Public | P-F |

* Zoning may be consistent subject to conforming to special standards (See Subsection C,2,c).

b. Medium/High Density Residential (12-29 dwelling units per gross acre) means land designated predominantly for multiple family residential development as permitted by the "R-2" District. The optimum density for multiple family dwellings in this land use classification is 11-15 units per gross acre.

Up to 29 dwelling units per gross acre as permitted by the "R-3" District may be allowed provided the project conforms with the criteria in Subsection C,2,c.

Cluster and planned unit developments, including single and multiple family dwellings and alternative housing types, and mobile home parks may be permitted provided the project conforms with the standards of Subsection C,2,c. The cluster and planned unit developments would be subject to the provisions of the "P-D" District and the mobile home parks to the provisions of the "R-M" District.

c. Low and Medium/High Density Residential projects which exceed the average or optimum density ranges of the land use classifications shall comply with all of the following standards:

- (1) The project design shall be aesthetically and functionally well conceived. Design elements to be considered include, but are not limited to, architecture, space between buildings, building setbacks, building height, interior circulation, off-street parking, open space, privacy and landscaping. Common open space areas that are suitable for passive and active recreation shall be an important design feature.
- (2) The project shall be compatible with surrounding land uses and environmental conditions.
- (3) The project shall be compatible with public facilities and service capabilities.

3. Commercial Land Uses

- a. Downtown Commercial means land designated in the downtown commercial district of the City for a full range of retail services and professional and governmental offices.
- b. Community Commercial means land designated for the development of retail commercial shopping centers which are located outside of or peripheral to the downtown commercial district.
- c. Service Commercial means land designated for commercial activities in which the function performed is of equal or greater importance than the product traded, or which, due to space requirements or the distinctive nature of their operation, are not compatible with and are not usually located in the downtown commercial district or community shopping centers.

4. Industrial Land Uses

- a. Limited Industrial means land designated for restricted, non-intensive manufacturing and storage activities which are found not to have significant detrimental effects on immediately surrounding property and the general environment of the planning area.
- b. General Industrial means land designated for the full range of manufacturing, processing, fabrication, and storage activities that are found not to create nuisances that extend beyond the boundaries of the general industrial area in which the source industry is located.

5. Open Space Land Uses

Open Space means any parcel or area of land which is essentially unimproved and devoted to an open space use.

a. Agricultural Open Space means land designated for the production of crops and livestock.

b. Recreational Open Space means land designated for outdoor recreational purposes.

6. Public/Quasi Public Land Uses

Means land designated for schools, wastewater treatment plants, and similar uses.

C. OBJECTIVES, POLICIES AND IMPLEMENTATION MEASURES FOR LAND USE

1. Introduction

The objectives, policies and implementation measures presented in this subsection address general land use issues regarding the location, extent, and timing of land use and development within the planning area.

2. Location, Density and Intensity of Land Use

a. Objectives

- (1) To protect existing, appropriately located residential, commercial, industrial, public, and recreational and agricultural open space land uses from potential land use conflicts.

- (2) To define appropriate locations for new residential, commercial, industrial, and public land use development.
- (3) To promote a variety of housing densities and commercial and industrial land use intensities that will meet the needs of the residents and economy of the planning area.

b. Policies

- (1) The planned locations for residential, commercial, industrial, public, and recreational and agricultural open space land uses shall be as shown on the general plan map (see Exhibit 2).
- (2). Residential, commercial, industrial, and public land uses shall be developed at the densities and intensities set forth in the Definitions and Standards , Subsection B.

c. Implementation Measures

The Zoning Ordinance and Subdivision Ordinance are the primary tools available to the City for guiding the location, density and intensity of land uses. The Zoning Ordinance establishes the rules and regulations that govern the use and development of every parcel of land within the City, while the Subdivision Ordinance regulates the design and improvement of all subdivisions of land within the City. State law recognizes the important relationship between zoning and subdivisions and the general plan by requiring that the Zoning Ordinance and the design and improvement of all subdivisions be consistent with the general plan. The following measures are designed to implement the objectives and policies of this subsection and to achieve and maintain consistency between the two ordinances and this plan:

- (1) Upon adoption of the general plan or upon adoption of any

subsequent amendment to it, the City will undertake any amendments to the Zoning or Subdivision Ordinances that are necessary to maintain consistency between them and the plan. An amendment to the Zoning Ordinance or Subdivision Ordinance is consistent with the general plan if it will further the objectives and policies of the general plan and not obstruct their attainment.

- (2) The City will only approve amendments to the Zoning Ordinance, conditional use permits, variances, and subdivisions of land, together with the provisions for their design and improvement, that are consistent with the general plan.
- (3) The Standards and Definitions specified in Subsection B and on the Zoning Consistency Table will be used to determine the zoning that is consistent with the land use classifications of this plan.

3. Timing and Management of Urban Growth

a. Objective

To manage the timing and extent of urban growth within the planning area.

b. Policies

- (1) Urban growth shall be managed in a manner which provides for a moderate rate of community growth that is commensurate with urban service capabilities and the conservation of agricultural land.
- (2) The provision of urban services to new development should not result in a reduction in the level or increase in the

cost of such services to existing development within the City.

c. Implementation Measures

The City will consider proposals for urban development to be consistent with the policies of this subsection if all of the following conditions are met:

- (1) The property is annexed to the City.
- (2) The proposed type of development is consistent with the general plan map's land use classification for the land on which the development is proposed (see Exhibit 2).
- (3) The proposed development can be served by the City water system without requiring system improvements beyond those which the developer will consent to provide.
- (4) The proposed development can be served by the City's wastewater collection and treatment system without requiring system improvements beyond those which the developer will consent to provide.
- (5) The development can be served by a drainage system approved by the City without requiring improvements to the City drainage system beyond those which the developer will consent to provide.
- (6) The proposed development can be provided fire and police protection according to standards established by the City Council for the fire and police departments.
- (7) The proposed development can be served by the City's major street system without substantially altering existing traffic patterns or overloading the street system,

and without requiring improvements to existing facilities or new facilities beyond those which the developer will consent to provide.

- (8) The local school districts will be contacted concerning their capability to accommodate any children expected to inhabit the proposed development.

4. Management of Unincorporated and Agricultural Land

a. Objectives

- (1) To locate all urban development within the City.
- (2) To conserve agricultural land to the maximum practical extent that is commensurate with the orderly growth and development of the City.
- (3) To coordinate with Merced County in planning for and regulating the use of land in unincorporated portions of the planning area.

b. Policy

The City of Livingston and the Merced County Board of Supervisors did, on February 28, 1979, enter into a Joint Resolution (79-186) establishing policy with respect to administering the urban expansion areas of the City of Livingston.

The substance of Resolution No. 79-186 was based upon three policies:

- All urban development shall occur within the City.
- Unincorporated land designated for urban development shall be protected from premature or inappropriate

development that would conflict with its future urban use.

- Land designated for agricultural use shall be protected from conflicting land uses and urban encroachment.

c. Implementation Measure

Resolution No. 79-186 also set forth implementation measures that were adopted by the City and County. The County has agreed to refer all applicants for subdivisions, rezoning and commercial/industrial conditional use permits to the City for annexation and has also agreed to maintain all existing agricultural use until the Specific Urban Development Plan (SUDP) area is planned by the City. The City, in turn, has agreed to annex all land proposed for development when specified conditions regarding location and extension of services have been satisfied.

Resolution No. 79-186 together with any subsequent amendments to it is hereby incorporated by reference into this Land Use Element of the Livingston General Plan.

For purposes of interpretation, it is the intent of the City that the boundary of the area shown on the general plan map for urban development should be considered the Specific Urban Development Plan boundary for the City and the Planning Area Boundary should be considered the boundary of the City's Area of Interest (see Exhibit 2).

D. OBJECTIVES, POLICIES AND IMPLEMENTATION MEASURES FOR SPECIAL LAND USE ISSUES

1. Introduction

The objectives, policies, and implementation measures presented

in this subsection address specific land use and community development related issues within the planning area. These issues were identified through the plan development process and include the provision of affordable housing, revitalization of the downtown commercial district and the promotion of industrial development.

2. Housing Affordability

a. Objectives

- (1) To promote the development of affordable housing within the planning area.
- (2) To plan for residential land use in a manner that is consistent with and supportive of the goals and objectives of the Housing Element.

b. Policy

Residential densities and development techniques which increase housing affordability while maintaining a quality living environment shall be encouraged within the planning area.

c. Implementation Measures

- (1) The City will modify the Zoning Ordinance as follows:
 - (a) To provide a zoning district with a minimum lot size for single family dwellings in conventional subdivisions of 5,500 square feet.
 - (b) To allow second family units on single family lots.
 - (c) To permit duplexes on corner lots in conventional

single family subdivisions with a minimum area of five acres, subject to a conditional use permit.

(d) To permit the development of a second dwelling on lots in the "R-2" District that have a minimum area of 5,500 square feet.

(e) To permit multiple family dwellings in the "R-2" District.

(f) To permit multiple family dwellings in the "C-1" and "C-2" Districts subject to a conditional use permit.

(g) To provide that the "P-D" Planned Development District will facilitate alternative development types (planned units, cluster, mixed-use) and alternative housing types (zero lot line, townhouses, etc.).

(2) The City will review its adopted Standard Specifications for public works to determine if modifications can be made which reduce development costs.

3. Revitalization of the Downtown Commercial District

a. Objective

To physically and economically revitalize the downtown commercial district.

b. Policies

(1) The City shall define and direct a program for the physical and economic revitalization of the downtown commercial district.

- (2) The City shall encourage and cooperate with downtown merchants and property owners in pursuing the economic and physical revitalization of the downtown commercial district.

c. Implementation Measure

The City will establish a program aimed at the revitalization of the downtown commercial district. The City will consider including and expanding upon the following components in developing the revitalization program. The components address the establishment of a Downtown Improvement Committee, building improvements, landscaping, lighting, street furniture, parking, circulation, financing, downtown promotion, and land use controls.

- (1) Formation of a Downtown Improvement Committee to direct the development and implementation of the downtown revitalization program. The Committee will include downtown merchants and property owners, interested citizens, members of the Chamber of Commerce, and City officials (City Council and Planning Commission members and staff)
- (2) Building improvement measures include the following:
 - (a) Coordination and review of all building improvements by the Downtown Improvement Committee. The Committee will review the design, materials, color and other architectural features related to proposed modifications or improvements of buildings and structures, including signs.
 - (b) Encourage and cooperate with downtown merchants and property owners in the renovation, rehabilitation, and redesign of buildings in the downtown commercial district.

- (c) Removal of obsolete buildings that do not meet applicable building codes and cannot be economically rehabilitated.

The removal of these buildings will make space for new commercial development.

- (3) Landscaping improvement measures include the following:

- (a) Landscape and maintain planter strips.
- (b) Require owners of the vacant property in the downtown commercial district to maintain them in a neat and orderly manner. Encourage owners to provide landscaping on said lots.

- (4) Lighting and street furniture improvements include the following:

- (a) Maintain adequate street lighting to ensure the safety of shoppers and security of businesses in the downtown commercial district.
- (b) Improve and maintain street furniture within the downtown commercial district, including but not limited to, street signs, waste disposal containers, benches, etc. The design of street furniture should be harmonious and contribute to a positive downtown image.

- (5) Parking measures include the following:

- (a) Provide the maximum number of on-street parking spaces that is commensurate with traffic safety and the design of existing streets.

- (b) Maintain existing public off-street parking.
 - (c) Require off-street parking with new commercial development per city standards as outlined in the City Code, Title 5, Chapter 17.
- (6) Circulation measures include the following:
- (a) Maintain existing streets.
 - (b) Consider the control of truck use on downtown streets.
- (7) Financing measures include the following:
- (a) Encourage property owners and businesses to invest in building and business improvements within the downtown commercial district.
 - (b) Identify and pursue state and federal funding assistance that may be available for downtown rehabilitation.
 - (c) Consider the use of the redevelopment process for downtown revitalization.
- (8) Land use control measures include the following:
- (a) Review and revise as necessary the "C-1" district to ensure that permitted and conditional land uses do not detract from the desirability of the downtown commercial district for shopping.

- (b) Establish regulations governing the number, location and design of signs and outdoor advertising structures in the "C-1" district.

4. Industrial Development

a. Objective

To develop a diversified industrial economic base for the community.

b. Policies

- (1) The City shall maintain an adequate supply of land for industrial development.
- (2) The City shall establish and maintain an industrial development program aimed at facilitating and encouraging industrial development within the planning area.

c. Implementation Measures

- (1) The City will designate an adequate supply of industrial land on the general plan map (see Exhibit 2). A periodic inventory of land designated for industrial use will be conducted to ensure an adequate supply at all times.
- (2) The City will establish a program aimed at the promotion of industrial development within the planning area. The City will consider including and expanding upon the following program components.
 - (a) Maintain a positive attitude toward industry. This can be accomplished through personal contact with prospective industries, maintaining a sound working

relationship, and assuring an efficient plan review and development process. This attitude should demonstrate a positive and cooperative posture toward industrial development and the City's commitment to meeting the needs of industry.

- (b) Encourage community input and involvement in the industrial development program. Successful programs depend upon the support of the business, ethnic, civic, and cultural groups in the community.
- (c) Maintain a file of available land and provide assistance in reviewing land as to its suitability for a particular business or industry.
- (d) Complete all preliminary actions, such as rezoning and annexation, that are necessary to accommodate industrial development within the City.
- (e) Provide assistance in locating and applying for sources of financial assistance for industrial development. Types of assistance could include participation in the extension of urban services and the construction of off-site improvements, direct funding of improvements, or the submission of a grant application to construct improvements to service prospective industries.
- (f) Provide appropriate assistance to private land owners in the sale of industrial land located within the City. This can be accomplished through an awareness of private land that is available for purchase for industrial use within the City, and by developing a working relationship with the land owner to facilitate a cooperative effort in marketing the property to industrial developers.

- (g) Work closely with interested industries and expeditiously process any necessary entitlements for development.
- (h) Consider the use of the redevelopment process to aid in the development of suitable industries within the City.

IV

CIRCULATION AND TRANSPORTATION ELEMENT

A. INTRODUCTION

1. Purpose and Goal

This Circulation and Transportation Element presents the goal, standards, definitions, objectives, policies and implementation measures for circulation and transportation within the planning area. The modes of transportation (means by which people and commodities move) that exist or are proposed within the planning area and will be discussed in the element include streets and highways, public transportation, rail, bicycles and pedestrian.

The major goal of the Circulation and Transportation Element is to provide a convenient and efficient multi-modal transportation system capable of meeting the needs of the residents, businesses and industries within the planning area.

2. Existing Conditions

a. The primary means of transportation in Livingston is by private vehicle, and the grid street network is the main circulation component.

b. The major inter-city route linking Livingston with communities to the northwest and southeast is Highway 99.

c. The major rural route within the planning area is Livingston Cressey Road/Lincoln Boulevard, which provides access to Highway 140 south of the City and Cressey north of the City.

d. A major traffic safety problem exists at the intersection of Third Street and Highway 99, where a significant number of traffic accidents occur annually. The Third Street intersection is signalized and carries most of the cross-town traffic. This intersection, because of its design and the volume and speed of traffic that utilize it, does not operate efficiently or safely. It is one of two signalized intersections remaining on Highway 99 in California.

e. Public transportation systems that serve Livingston include the Greyhound Bus Lines and the Merced Area Regional Transportation System (MARTS).

f. The Southern Pacific Railroad provides direct rail freight service to the City. Rail passenger service is not available in Livingston.

g. There are no existing adopted bicycle routes in Livingston.

3. Assumptions Concerning Future Circulation and Transportation Conditions

a. The automobile will remain the dominant means of transportation in Livingston.

b. The need for alternative modes of transportation will increase as the costs of private automobile use grows. The population groups hit most by higher transportation costs will be the poor, the elderly and the handicapped.

B. CIRCULATION AND TRANSPORTATION DEFINITIONS AND STANDARDS

1. Introduction

The following are definitions for the major and local street

system described in this element. Detailed design standards for the streets are presented in the City's Standard Specifications Manual.

2. Freeway

Provides for through traffic movement on a continuous route with no access to abutting property. Intersections with cross streets are by interchanges or grade separation structures.

3. Highway

Provides for through traffic movement on a continuous route with restricted access to abutting property. Intersections with cross streets are generally at grade. Highways are typically developed as four lane divided roadways.

4. Arterial

Provides for through traffic movement on a continuous route joining major traffic generators, other arterials, highways and freeways. Arterials are normally four lane streets and access from abutting property to them may be controlled.

5. Collector

Provides for internal traffic movement within an area and connects local streets to the arterial road system. Collectors are two or four lane streets and access from adjoining property to them may be controlled.

6. Local Streets

Provide for internal traffic movement within an area and serve to provide direct access to abutting property. Local streets normally have two lanes.

7. Major Streets

Arterial and collector streets and highways and freeways are defined as major streets.

C. OBJECTIVES, POLICIES AND IMPLEMENTATION MEASURES FOR CIRCULATION AND TRANSPORTATION

1. Circulation

a. Objectives

- (1) To establish an efficient major and local street system within the planning area.
- (2) To control access to streets and highways in a manner which is supportive of their functions.
- (3) To provide for the improvement of streets to their design standards.
- (4) To coordinate street planning with Merced County to ensure the orderly development of a coordinated street network within the planning area.
- (5) To secure the development of Freeway 99 within the planning area.

b. Policies

- (1) The following are the functional classifications of the streets within the planning area. It is the policy of the City to develop the streets in accordance with the definitions and standards specified in Subsection IV,B. The location of the streets and their classifications are

also shown on the general plan map (see Exhibit 2). The major street system shall be as follows:

(a) Highway

Highway 99

(b) Arterials

- i. Third Street/Livingston Cressey Road, between Peach and Olive Avenues.
- ii. Peach Avenue, between Hammett Avenue and the westerly City limits.
- iii. "C" Street, between Third Street and Highway 99.
- iv. Davis Street/Walnut Avenue, between Cressey Street and the Hammett Avenue alignment.
- v. "B" Street/Vinewood Avenue, between Third Street and the westerly City limits.

(c) Collectors

- i. First Street, between Peach Avenue and Front Street.
- ii. Prusso Street, between "B" and "F" Streets.
- iii. Seventh Street, between Peach Avenue and "H" Streets and "C" and "F" Streets.
- iv. Hammett Avenue, between Peach and "F" Streets.

v. Davis Street, between Cressey Street and Highway 99.

vi. "F" Street, between Hammett Avenue and the westerly City limits.

(d) Local Streets

All other streets within the planning area are local streets.

- (2) The City shall minimize conflicts between different types of vehicular traffic and discourage the intrusion of both through traffic and truck traffic into residential areas.
- (3) The City shall pursue the development of Freeway 99 within the planning area by the State of California and shall encourage the State to design the freeway to minimize impacts on existing development and maximize access to the City.

c. Implementation Measures

- (1) The City will coordinate street planning with Merced County to ensure the orderly development of a coordinated street network within the planning area.
- (2) The City will adopt precise plan lines for the major streets within the planning area. The purpose of plan lines is to assure that the ultimate rights-of-way of streets are protected for future street expansion.
- (3) The City will utilize traffic control devices to control the flow of traffic on streets in accordance with the planned function of the streets.

- (4) The City will work with the State Department of Transportation, the California Transportation Commission and local legislators to secure the development of Freeway 99 within the planning area in a manner that is compatible with the land use and access needs of the City.
- (5) The City will require new subdivisions to be designed to minimize the number of lots fronting on collector streets and to have no lots fronting on arterial streets.
- (6) The City will control access to major streets through the site plan and subdivision review processes and through any other appropriate procedures and ordinances available to the City.

2. Transportation

a. Objective

To provide for a multi-modal transportation system capable of meeting planning area needs.

b. Policies

- (1) The City shall encourage the provision of inter-city and intra-city transit systems, with special emphasis toward serving the needs of senior citizens, the physically handicapped, and low-income residents.
- (2) The City shall consider the development of bikeways as a part of the City's multi-modal transportation system.
- (3) The City shall provide safe and efficient pedestrian access within the City.

c. Implementation Measures

(1) Public Transportation

The City will consider programs aimed at providing improved and/or new public transportation service to and within the City, with special attention given to the needs of the elderly, handicapped and the poor.

(2) Bicycles

(a) The City will designate bike routes and develop design standards for these routes within the City.

(b) The City may require the construction of bikeways as a condition of approval for new subdivisions.

(3) Pedestrians

(a) The City will require the construction of sidewalks as a condition of approval of new urban development.

(b) The City may require the construction of pedestrian paths separate from sidewalks as a condition of approval of new subdivisions.

(4) Rail

(a) The City will encourage the maintenance of effective and efficient rail-freight service to the City.

(b) The City will plan land uses in a manner that takes advantage of available rail-freight services.

CONSERVATION, OPEN SPACE
AND RECREATION ELEMENT

A. INTRODUCTION

1. Purpose and Goal

This Conservation, Open Space and Recreation Element presents the goal, definitions, objectives, policies and implementation measures of the City for the conservation and management of natural and manmade resources within the planning area. These resources include the conservation of air, water, soil and river resources, open space for the preservation of plant and animal life, agricultural lands and recreational lands.

The primary goal of the Conservation, Open Space and Recreation Element is to preserve and enhance the quality of living within the planning area by preventing the degradation of the natural environment and by seeking an optimum balance between the economic and social benefits to be derived from the natural and manmade resources within the planning area.

2. Existing Conditions

a. Most of the soils found within the planning area are of the Delhi series. The Delhi soils are considered prime soils or land of state-wide importance for agricultural purposes.

b. The City derives its water supply from groundwater beneath the City. Groundwater quality within the planning area is generally satisfactory with the exception of two of the

City's seven wells where high concentrations of nitrates and DBCP have been recorded.

c. There is little native vegetation left in the planning area due to the agricultural practices and development activities of man, with the exception of land within the riparian habitat of the Merced River.

d. No rare or endangered plant species are known to exist in the planning area.

e. No rare or endangered species of animals are known to inhabit the planning area, with the possible exception of the Giant Garter Snake, which may be found in the aquatic environment of the Merced River.

f. Air pollutants of major regional concern within the San Joaquin Valley are particulate matter, photochemical oxidants, and carbon monoxide. Merced County has been designated as a non-attainment area for two of these pollutants by the California Air Resources Board: particulate matter and photochemical oxidants (measured as ozone). This designation indicates that these pollutants exceed adopted ambient air quality standards in Merced County.

g. The majority of land outside the City, but within the planning area is developed in agricultural uses or is fallow.

h. There are approximately 75 acres of existing public recreational open space land within the planning area. Of this total, 61 acres are distributed among the Livingston Union District facilities and the Livingston High School. Existing park facilities within the planning area include:

Arakelian Park (6.5 acres) is located at the western terminus

of "J" Street. The facility serves a dual purpose as both a park and a flood control basin. Existing improvements on the site include off-street parking (approximately 35 spaces), covered picnic area with barbecues, scattered picnic tables, restrooms, playground equipment and a parcours.

Memorial Park (5.6 acres) is located at the southeast corner of Park and Third Streets. Existing improvements include a covered picnic area with barbecues, four picnic tables, restrooms, playground equipment and an adjacent softball-baseball diamond with bleachers.

Lucero Park (1.2 acres) is located at the intersection of Hickory Avenue and Celia Drive. Existing improvements include a play structure and tables and benches. There is a small grass area with young trees.

Downtown Mini-Park (5,750 square feet, not including the plaza area) is located in the middle of the block between "B", "C", Second, and Third Streets. Existing improvements include tables and benches, a play structure, plaza area and a small grass area with shade trees.

Swan Park - (9,600 square feet) is located at the northwest corner of Swan Street and Cressey Way. Existing improvements include a City water well, picnic table and lawn area.

i. The Merced River provides an important open space system with many uses for area residents. It is also the most important natural distinguishing feature of the area.

j. . According to a community survey conducted in April, 1982, 51 percent of the respondents felt that additional parks are not needed in Livingston. Twenty-eight percent of the respondents stated a need for additional parks and indicated that additional children's parks are needed and the most appropriate

location cited was north of Highway 99.

3. Assumptions Concerning Future Conservation, Open Space and Recreation Conditions

a. The City will continue to rely on groundwater as the primary source of water for the community.

b. The riparian habitat of the Merced River will continue to be an important natural resource for the community.

c. The City will continue to cooperate with and support the Merced County Air Pollution Control District.

d. The protection of prime agricultural soils and agricultural land will continue to be of upmost importance to the community.

e. The existing park and recreational facilities will meet the needs of area residents in the foreseeable future.

B. CONSERVATION, OPEN SPACE AND RECREATION DEFINITIONS

1. Introduction

The following are definitions of terms used in this element.

2. Conservation

Means the management of natural resources to prevent waste, destruction or neglect.

3. Open Space

Means any parcel or area of land which is essentially unimproved and devoted to an open space use. Within the planning

area, open space land uses are limited to agricultural and recreational land.

4. Agricultural Land

a. Agricultural land means land designated for production of crops and livestock.

b. Prime agricultural land means, "(1) All land which qualifies for rating as Class I or Class II in the Soil Conservation Service land use capability classifications; (2) Land which qualifies for rating 80 through 100 in the Storie Index Rating; (3) Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture; (4) Land planted with fruit- or nut-bearing trees, vines, bushes, or crops which have a non-bearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than \$200 per acre; and, (5) Land which has returned from the production of unprocessed agricultural plant products an annual gross value of not less than \$200 per acre for three of the previous five years" [Government Code Section 51201(c)].

5. Recreational Land

Means any open space land which is actively used for recreational purposes and is open to the public for such purposes with or without charge. City parks and school grounds are the two types of recreational open space land within the planning area.

C. OBJECTIVES, POLICIES AND IMPLEMENTATION MEASURES FOR CONSERVATION, OPEN SPACE AND RECREATION

1. Conservation and Open Space

a. Objectives

- (1) To conserve agricultural land to the maximum practical extent that is commensurate with the orderly growth and development of the community.
- (2) To protect the riparian habitat of the Merced River.
- (3) To conserve the water, soil and air resources within the planning area.

b. Policies

- (1) The City shall conserve agricultural land free from premature or unnecessary development.
- (2) The City shall promote the protection of the water, soil and air resources within the planning area.
- (3) The City shall promote the conservation and protection of the riparian habitat of the Merced River.

c. Implementation Measures

- (1) The City will manage unincorporated and agricultural land in accordance with the objectives and policy of the Land Use Element, Section III,C,4.
- (2) The City will support the enforcement of the rules and regulations of the Merced County Air Pollution Control District within the planning area.

- (3) The City will locate residential, shopping and work areas in reasonable proximity to each other in order to reduce the distances residents must travel by automobile to conduct these activities to assist in the conservation of energy and in the reduction of automobile pollutants.
- (4) The City will encourage the development of industrial and commercial uses which do not emit pollutants or are detrimental or offensive to the population of the planning area.
- (5) The City will support the enforcement of the rules and regulations of the California Regional Water Quality Control Board.
- (6) The City will designate the Merced River corridor as a flood plain and a multi-use open space, recreation and conservation corridor.

3. Recreation

a. Objective

To provide adequate recreational lands and facilities for all residents within the City.

b. Policy

The City shall provide for the recreational needs of all socio-economic and age groups within the City in accordance with the availability of financial and other resources.

c. Implementation Measures

- (1) The City will seek available state and federal funds for

park improvements and recreational programs.

- (2) The City will coordinate with the school districts in developing recreational land and programs.
- (3) The City will maintain and enhance the existing park and recreational facilities within the planning area.
- (4) The City will encourage and work with local civic groups in the development and maintenance of new and existing park and recreational facilities.
- (5) The City will consider locating new park and recreation facilities north of Highway 99 as development warrants.
- (6) The City will require the dedication of land and/or payment of a fee for the provision of park and recreational facilities to serve future residents of a subdivision in accordance with Title 6, Chapter 2, Section 6-2-14.3 of the City Code.

VI

HOUSING ELEMENT

A. INTRODUCTION

1. Purpose

This is a summary of the Housing Element of the Livingston General Plan that was approved by the State Department of Housing and Community Development on October 14, 1981 and adopted by the City Council on January 14, 1982. The complete Housing Element was prepared by Denise Hamaguchi.

This Housing Element summary includes the goals, policies and programs as presented in the complete Housing Element. For statistical and technical background information, consult the complete Housing Element.

2. Existing Conditions

a. As recorded in 1979, approximately 255 of the 1,446 housing units within the City were substandard. One hundred fifty-eight of the 255 substandard units were owner occupied, and 97 were renter occupied. Of the 255 units, 235 required rehabilitation and 20 required replacement.

b. The 1981 housing unit vacancy rate was .006 percent.

c. As recorded in 1979, 38 percent of the housing stock was less than 13 years old, and 64 percent was less than 27 years old.

d. Refer to the Land Use Element, Section III,A,2, for further information on existing housing conditions.

3. Assumptions Concerning Future Housing Conditions

Refer to the Land Use Element, Section III,A,3 for assumptions concerning housing development.

B. OBJECTIVES, POLICIES AND IMPLEMENTATION MEASURES FOR HOUSING

1. Introduction

The objectives, policies and implementation measures presented in this subsection are designed to address the housing needs of the community as defined in this Housing Element¹. They are presented in this subsection in six interrelated categories including; housing affordability, accessibility of housing, preservation of housing, adequate provision for housing, energy efficient housing, participation and update.

2. Housing Affordability

a. Objective

To preserve/regain the affordability of the City's housing.

b. Policies

- (1) The City shall expand housing opportunities by encouraging the development of units proportionally priced to fit local income constraints.
- (2) The City shall mitigate government and local market constraints to affordable housing.

¹ For purposes of maintaining format consistency in the general plan, housing, goals and programs, as defined in the complete Housing Element, have been referred to as housing objectives and implementation measures in this Housing Element summary.

c. Implementation Measures

- (1) The City will continue to take full advantage of federal, state and local housing subsidy and grant programs to maintain a balance of assisted housing and further disperse it in new housing development. Such programs include the Federal Section 8 programs, Section 235, 236, 221(d) 3 and 4, California Housing Finance Agency (CHFA) and Self-Help housing.
- (2) The City will consider promoting mobile homes for replacement housing in rehabilitation areas.
- (3) The City will consider applying for federal and state grant money made available for infrastructure construction in areas of assisted housing, new construction, as well as housing rehabilitation target areas.
- (4) The City will review Zoning and Subdivision Ordinance requirements to assess the effect of same on housing costs. Setbacks, street widths, size and shape of lots, house orientation and infrastructure fees/requirements are some factors which can be adjusted to reduce development and, ultimately, homebuyer costs.
- (5) The City will investigate the feasibility of streamlining processing procedures as a way to reduce developer and, ultimately, homebuyer costs.
- (6) The cost-benefits of energy efficient home operation features in new construction, contributing to the affordability of home ownership, will be considered in site plan and design review.
- (7) The City will consider adoption of a Development Ordinance to ensure that action initiated on a parcel is

carried through to the construction phase by the same person and in a timely manner. This may include use of the Environmental Impact Report for conceptual approval of a plan and a performance bond including a lien on the property that would be an encumbrance until construction begins.

- (8) Refer to the Land Use Element, Section III, D,2, for additional measures of achieving housing affordability.

3. Accessibility of Housing

a. Objective

To ensure the accessibility of housing to all residents.

b. Policies

- (1) The City shall provide adequate housing opportunities without regard to race, religion, ethnicity, sex, age, marital status, income or household composition.
- (2) The City shall provide housing that meets the needs of residents, including variety in type, design, style, cost and tenure.

c. Implementation Measures

- (1) The City will encourage an economic mix of housing types within subdivisions to avoid concentrations of low income/minority households. This could be achieved through:
 - (1) use of the P-D District,
 - (2) policy on Citywide balance of rental/owner units, and/or
 - (3) use of density bonuses (provided for in Chapter 4.3 of the State of California Government Code) where a developer of a housing development of five or more units agrees to construct

at least 25 percent of the total units for persons of low and moderate income.

- (2) The City will continue to encourage the construction of duplex units on corner lots in conventional single family subdivisions of five or more acres.
- (3) The City will work toward establishing a more healthy housing balance by encouraging housing construction to reach a desired for sale vacancy rate of 2 percent and a desired for rent vacancy rate of 6 percent.
- (4) The City will consider supporting development where innovative housing construction techniques, development standards and property conveyances are used.
- (5) The City will encourage the use of the planned development district as a means of providing housing variety within one development.
- (6) The City will encourage the construction of both rental and owner housing. This will be facilitated through the provision of sufficient lands for all residential densities in the general plan, encouragement of large parcel commitment to P-D development, and housing progress reports monitoring rental/owner balance.
- (7) The City will promote its mobile home ordinance as an important form of affordable housing for the future.

4. Preservation of Housing

a. Objective

To promote housing preservation.

b. Policy

The City shall promote and preserve housing quality within the City through rehabilitation.

c. Implementation Measures

- (1) The City will study the effect of lowering building permit fees on the rehabilitation of existing housing. Such fees often discourage rehabilitation for a variety of reasons including: the additional cost, the paperwork required, and the extra time involved, some homeowners do the work without the benefit of the safety considerations and advice which should accompany the use of a building permit.
- (2) Programs designed to assist property improvement of older housing stock will be maintained.
- (3) The City will encourage individual use of PG&E's zero interest loan program (ZIP) and low interest loans for rehabilitation related to energy efficiency.
- (4) The City will promote code enforcement programs to bring substandard structures up to code.
- (5) The City will conduct a housing quality survey every four years to ascertain the effectiveness of existing programs and identify areas for rehabilitation efforts.

5. Adequate Provision for Housing

a. Objective

To promote good land use techniques.

b. Policy

The City shall provide land use and zoning controls which allow for the maintenance and continued development of an adequate housing supply.

c. Implementation Measures

- (1) The City will promote efficient use of vacant land zoned for residential purposes.
- (2) The City will provide a clear direction for residential growth, reflective of a realistic plan for projected housing needs.
- (3) The City will promote growth in and contiguous to developed areas through use of a graduated capital improvement fee and ranges in requirements for infrastructure and other public services. (Infill development would have the least costs associated with it. Development beyond existing urban areas, but within the urban improvement areas would have the highest costs associated with it).
- (4) The City will plan for residential areas where a full range of urban services and facilities can be provided most efficiently and economically.

6. Energy Efficient Housing

a. Objective

To promote energy efficiency in housing operation.

b. Policy

The City shall promote housing construction that is environmentally sound, cost effective, and energy efficient.

c. Implementation Measures

- (1) The City will consider means to encourage programs, such as the PG&E energy audits, which promote energy conservation in existing buildings.
- (2) The City will encourage new developments to incorporate housing design and orientation techniques that reflect energy efficient site planning and use of passive solar access standards, including an analysis of existing requirements in the Zoning Ordinance which inhibit site planning for solar access.
- (3) The City will analyze its Zoning Ordinance to identify and make recommendations for amendments to requirements which inhibit site planning for solar access.
- (4) The City will study the mechanisms available to guarantee solar rights in new subdivisions.

7. Participation and Update

a. Objective

To insure citizen participation and plan update.

b. Policy

The City shall evaluate the effectiveness of housing policies and monitor achievements of program implementation.

c. Implementation Measures

- (1) The City will establish clear and specific procedures to enable citizens to participate in determining housing policies and programs.
- (2) The City will work toward meeting the goals of its Housing Assistance Plan.
- (3) The City will provide for an annual housing progress report to summarize changes in the City's housing balance and report progress in goal achievement.
- (4) The City will incorporate policies and programs adopted herein, in land use allocations and elsewhere as appropriated in the general plan.

VII

SEISMIC SAFETY ELEMENT

A. Introduction

1. Purpose and Goal

This is a summary of the Seismic Safety Element of the Livingston General Plan that was adopted by the City Council on April 14, 1975. The complete Seismic Safety Element was prepared by the Merced County Association of Governments.

This Seismic Safety Element summary includes the goal, definitions, objective, policy and implementation measures of the City regarding the identification and appraisal of seismic hazards within the planning area.

The goal of the Seismic Safety Element is to provide for the safety and well being of its citizens through measures aimed at reducing death, injuries, damage to property and economic and social dislocation resulting from earthquakes and other geologic hazards.

2. Existing Conditions

a. There are no records of seismic activity in the Livingston area. The maximum expectable earthquake intensity for the area is listed as "low" in the Urban Geology Master Plan prepared by the California Division of Mines and Geology (1973).

b. The Livingston area is depicted in the State Geologic Report as located near an area of generally high subsidence and expansive soils. The nearest known subsidence occurred about twelve miles northeast of the City.

c. The principal earthquake hazard effecting the planning area is ground shaking and ground failure as opposed to surface rupture.

d. Surface ruptures from faulting, slope stability, landslides, mudslides and seismically induced waves such as tsunamis and seiches are not considered serious threats to life or property within the planning area.

e. Older sewer and water lines (having a greater propensity to break under stress) could sustain major damage in the event of an earthquake of severe intensity.

3. Assumption Concerning Future Seismic Conditions

The greatest impact of an earthquake on the City would be structural. Many of the structures (commercial and residential) built prior to 1960 may not include antistress construction features required by current codes.

B. SEISMIC SAFETY DEFINITIONS

1. Introduction

The following are definitions of geologic terms used in this element.

2. Active Faults

Active faults are faults which show evidence of any or all of the following: topographic or physiographic expressions suggestive of geologically young fault movements; fault creep; records of surface rupture within or adjacent to the study area in historic time.

3. Earthquake

Perceptible trembling to violent shaking of the ground, produced by sudden displacement of rocks below and at the earth's surface.

4. Fault

An earth fracture or zone of fracture along which the rocks on one side have been displaced in relation to those of the other.

5. Ground Failure

A situation in which the ground does not hold together such as in landsliding, mud flows, liquefaction and the like.

6. Inactive Faults

Identifiable faults which do not meet any of the criteria listed under "active faults".

7. Intensity

A nonlinear measure of earthquake size at a particular place as determined by its effect on persons, structures, and earth materials. The principal scale used in the U. S. today is the Modified Mercalli, 1956 version. Intensity is a measure of effects as contrasted with magnitude which is a measure of energy.

8. Landsliding

The perceptible downward sliding or falling of a relatively dry mass of earth, rock, or mixture of the two. Often loosely used

to also include sliding of wet earth masses such as mudslides and earthflows.

9. Liquefaction

A process by which a water saturated sand lens loses coherence when shaken. Involved is the collapse of sand grains into intergranular voids which induces an increase in pore pressure and loss of strength. This loss of strength leads to a quick-sand condition in which objects can either sink or float depending on their density.

10. Magnitude

The rating of a given earthquake is defined as the logarithm of the maximum amplitude on a seismogram written by an instrument of specified standard type at a distance of 62 miles from the epicenter. It is a measure of the energy released in an earthquake. The zero of the scale is fixed arbitrarily to fit the smallest recorded earthquakes. The scale is open ended but the largest known earthquake magnitudes are near 8-3/4. Because the scale is logarithmic, every upward step of one magnitude units means a 32 fold increase in energy release. Thus, a magnitude 7 earthquake released 32 times as much energy as a magnitude 6 earthquake. Magnitude is not the same as intensity.

11. Seiche

Waves in lakes or reservoirs due to tilting or displacement of the bottom.

12. Subsidence

A shrinking of a large area of land usually observed as a shrinkage.

13. Tectonic

Pertaining to or designating the rock structure and external forms resulting from the deformation of the earth's crust. Pressures causing such deformations often result in earthquakes.

14. Tectonic Subsidence

Tectonic subsidence which happens within a few seconds or minutes, is caused by groundshaking induced by earthquakes. This type of settlement and consequent differential settlement results from the compaction of loose, cohesionless soils. The distinction is made between this form of settlement or "shake-down", and the settlement of saturated soils caused by earthquakes, which is termed "liquefaction". Settlement of as much as several feet at one time has occurred during past earthquakes.

15. Topography

The physical features of the land, especially its relief and contour.

16. Tsunami

A sea wave produced by large areal displacements of the ocean bottom, often the result of earthquakes or volcanic activity. Also known as seismic sea waves.

C. OBJECTIVE, POLICY AND IMPLEMENTATION MEASURES FOR SEISMIC SAFETY

1. Introduction

The objective, policy and implementation measures presented in

this subsection provide general guidance for safety and well being from earthquakes and other geologic hazards. Specific issues discussed within this element focus on secondary natural hazards resulting from the interaction of ground shaking with existing ground instabilities.

2. Ground Shaking and Ground Failure

a. Objective

To reduce loss of life, injury or damages due to seismic ground shaking and ground failure.

b. Policy

The City shall enforce the regulations of The Uniform Building Code to ensure that all new structures, as well as those undergoing rehabilitation are constructed according to State law.

c. Implementation Measures

- (1) As resources become available all buildings shall be inventoried by a registered structural engineer over a period of years, and those known to be structurally unsound in moderate seismic activity identified.
- (2) Buildings whose structural resistance is questionable in seismic activity shall be considered for upgrading or demolition.
- (3) A report of structures which are found seismically unsound shall be filed with the property owner and with the County Recorder's Office to ensure that all future owners are aware of the condition and risks.
- (4) The present height limitation of thirty five (35) feet

will be maintained and/or the number of stories of a structure limited to two (2).

- (5) The County Disaster Preparedness Plan should be adopted.
- (6) An active part in the California Fire and Rescue Emergency Plan should be initiated.
- (7) The Seismic Safety Element for the County of Merced shall be adopted as a supplemental part of this element.

VIII

NOISE ELEMENT

A. INTRODUCTION

1. Purpose and Goal

This is a summary of the Noise Element of the Livingston General Plan that was adopted by the City Council on April 14, 1975. The complete Noise Element was prepared by the Merced County Association of Governments.

This Noise Element summary presents the goal, definitions objectives, policy and implementation measure for controlling and abating environmental noise within the community and for protecting citizens from excessive exposure to it.

The goal of the City for noise is to enhance the quality of life in the City by preventing and surpressing the intrusion of objectionable levels, frequencies and time durations of noise through controlling noise at its source.

2. Existing Conditions

a. Motor vehicle (especially diesel trucks) and rail transportation are the major noise sources within the planning area.

b. Overflying jet aircraft, on occasion, are contributors to noise within the planning area.

c. The necessary movement of farm equipment through Livingston poses a seasonally significant noise source.

3. Assumptions Concerning Future Noise Conditions

The construction and ultimate use of Freeway 99 within the planning area, could pose as an impact on the noise environment.

B. NOISE DEFINITIONS

1. Introduction

The following are definitions of terms used in this Noise Element summary.

2. Decibel

The decibel (abbreviated dB) is a measure, on a logarithmic scale, of the magnitude of a particular quantity (such as sound pressure, sound power, intensity, etc.) with respect to a standard reference value.

3. Frequency

The number of times per second that the sine wave of sound repeats itself, or that the sine-wave of a vibrating object repeats itself. It is expressed in Hertz (Hz) or cycles per second (cps).

4. Level

The level of an acoustic quantity in decibels.

5. Noise

Any sound which is undesirable because it interferes with speech and hearing, or is intense enough to damage hearing, or is otherwise annoying. Noise, simply is "unwanted sound".

C. OBJECTIVES, POLICY AND IMPLEMENTATION MEASURE FOR NOISE

1. Objectives

a. To protect the community from noises with recognized disturbing characteristics which interfere with sleep, speech, recreation, or their need for privacy.

b. To maintain, in all feasible instances, sound levels below the point they become physically harmful (70dB).

2. Policy

The City shall maintain a safe noise environment by adopting a preventative posture controlling and regulating (where not pre-empted) the sources of noise within the planning area.

3. Implementation Measure

The City will consider the adoption of a noise ordinance which would provide for effective implementation guides and legal standards for establishing generally acceptable ambient noise levels as a step toward maintaining a safe noise environment.

IX

SAFETY ELEMENT

A. INTRODUCTION

1. Purpose and Goal

This is a summary of the Safety Element of the Livingston General Plan that was adopted by the City Council on April 14, 1975. The complete Safety Element was prepared by the Merced County Association of Governments.

This Safety Element includes the goal, objectives, policies and implementation measures for safety within the planning area. The Safety Element provides a basis for reducing loss of life, injuries, damage to property, and the economic and social dislocation resulting from fire, flooding and other public safety hazards. Specific issues discussed within this element include fire protection and urban fires, hazardous materials, flooding and emergency plans. Other potential hazards that may be encompassed within a safety element such as certain geologic hazards (cliff erosion, subsidence, etc.) and wildland fires, for example, either have been determined not to be significant within the planning area or discussed in other elements of the general plan.

The major goal of the Safety Element is to plan for and promote an environment which will reduce to a minimum the loss of life and property resulting from natural and manmade hazards.

2. Existing Conditions

a. Fire protection for the incorporated portion of the planning area is provided by the Livingston Fire Department.

The Department has volunteers under the direction of a Council appointed Fire Chief who is on duty during all City calls. The Department is equipped with a Model A hose truck, a Class A 1,250 gpm pumper, Class A 1,000 gpm pumper, 500 gpm pumper, 65 foot aerial ladder truck, and one medium and one light rescue vehicle. In the near future, the City will be upgrading for certification another 1,250 gpm pumper. Also stationed at the City Fire Department is a County owned 1,000 gpm pumper and a 3,000 gallon tanker.

The average response time to a fire, under good conditions (volunteer promptness, no freeway or railroad closures, or delays) is approximately eight minutes or less. A stop at the Third Street crossing of Highway 99 is mandatory for responses to calls from North of the highway. Use of alternate routes due to a train blocking Third Street, for example, can extend response time 10 to 15 minutes. The City of Livingston has an Insurance Service Organization (ISO) six fire rating.

Fire protection for the unincorporated portion of the planning area is provided by the Merced County Fire Department which utilizes the City of Livingston's fire station at Third and "C" Streets in the City of Livingston. The City also maintains mutual aid agreements with the Merced County and City of Atwater Fire Departments.

b. Livingston is not designated as being within a flood prone area. However, localized flooding does occur during storms due to the minimal amount of existing drainage facilities. Almost all existing drainage facilities have been for newly developed areas. Existing drainage generally consists of surface flow to the nearest low area, resulting in flooding problems of different magnitudes.

c. Livingston is designated as being within the inundation

area of the Exchequer and McSwain Dams, and thus would incur flooding as a result of dam failure.

d. Hazardous materials are transported through and within the planning area by trains on the Southern Pacific mainline and by trucks on Third Street, Highway 99 and other streets.

There have been no reported incidents involving hazardous materials which are known to have affected the population of the planning area.

3. Assumption Concerning Future Safety Conditions

There will be no significant changes in the type or intensity of natural or manmade hazards within the planning area.

B. OBJECTIVES, POLICIES, AND IMPLEMENTATION MEASURES FOR SAFETY

1. Fire Protection and Urban Fires

a. Objective

To reduce the loss of life, injury or damage to property resulting from fire.

b. Policies

- (1) The City shall maintain an efficient volunteer fire department.
- (2) The City shall coordinate fire protection services with Merced County.
- (3) The City shall maintain a water supply system that is adequate for fire protection purposes.

- (4) The City shall require the abatement of fire hazards within all existing buildings through continued enforcement of relevant codes and ordinances.
- (5) The City shall support local, state and federal programs designed to inform and educate the public concerning fire prevention and suppression.

c. Implementation Measures

- (1) The City will continue to maintain an efficient volunteer fire department and to ensure that there is adequate manpower and equipment to provide fire protection for existing and new development within the City.
- (2) The City will coordinate with Merced County in the provision of fire protection services to ensure the maximum level of protection for all residences, commercial establishments and industries within the planning area.
- (3) The City will continue to enforce its weed abatement program which is designed to limit the amount of vegetative combustible material within the planning area.
- (4) The City will encourage the installation of private early warning and fire suppression systems.
- (5) The City will encourage local and regional educational institutions to develop fire prevention and suppression courses.
- (6) The City will encourage the community to become involved in promoting state and federal fire protection programs in school and civic functions.

- (7) The City will pursue the installation of emergency traffic controls at Highway 99 and Cressey Avenue and the Southern Pacific Railroad crossing in order to prevent delays and expedite emergency response service to the City's northeast side.

2. Flooding

a. Objective

To protect the lives and property of residents from the hazards of flooding.

b. Policy

The City shall provide adequate storm drainage planning and require adequate storm drainage facilities to prevent flooding within the community.

c. Implementation Measures

- (1) The City will maintain the storm drain master plan for the City, including planned growth areas and require that development conform to it.

3. Hazardous Materials

a. Objective

To reduce the potential danger to public health and safety from hazardous materials.

b. Policies

- (1) To plan the location of hazardous material production,

storage and distribution so that it does not unnecessarily impact populated areas.

- (2) To conform with applicable state and federal laws regulating hazardous materials.

c. Implementation Measures

- (1) The City will review the Zoning Ordinance to ensure that any uses which may involve the storage, processing or distribution of hazardous materials are either not permitted in proximity to populated areas or are permitted only after first having secured a conditional use permit.
- (2) The City will utilize the California Environmental Quality Act process to review and determine appropriate mitigation measures for uses which may involve the storage, processing or distribution of potentially hazardous materials within the planning area.
- (3) The City will support the guidelines and regulations of the California Occupational Health and Safety Administration and other state and federal agencies responsible for the regulation of hazardous materials.

4. Emergency Plan

a. Objective

To provide for the safety of the community in the event of a natural or manmade disaster.

b. Policy

The City shall maintain and update as necessary, an emergency

plan designed to address emergency preparedness including evacuation plans to deal with the natural and manmade hazards identified in this element and the Seismic Safety Element.

c. Implementation Measure

The City will maintain an adequate emergency plan designed to address dam failure, earthquake, hazardous material upset and atomic attack.

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